IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL

CRIMINAL MISC. APPLICATION NO.588 OF 2001
(Old no.2687 of 1996)

Sunder Lal Badoni s/o Sri Thepar Ram Badoni
R/o B-38,Model House,
Near Tridev Mandir, Nai Tehri
District Tehri Garhwal

.....Applicant

VERSUS

1. Sate of Uttaranchal
2. Rama Datt Dobhal, Sadar Munsarim
District Judge Court, Tehri
Station Officer, Police Station,
New Tehri District Tehri

Respondents

Hon'ble J.C.S. Rawat, J.

1. Heard the learned counsel for the parties and perused the record.

2. This is a petition u/s 482 Cr.P.C. for quashing the proceedings in criminal case no.273 of 1996,State Vs. Sunder Lal Badoni, u/s 452/323/504 IPC pending in the court of Chief Judicial Magistrate, Uttarkashi.

3. A FIR was lodged at the police station alleging therein that on 22.8,.1994 at about 1.30 p.m. when the complainant was on his duty, his son came to the office and informed that the applicant had broken the locks of the accommodation in question. The applicant committed Marpeet with respondent no.2 and thereafter the applicant was arrested. The investigation was conducted and chargesheet was submitted against

the applicant. Feeling aggrieved by the said order the present application has been filed before this court. The peculiar circumstance of this case are that the respondent no.2 is the Sadar Munsarim in the Judgeship of Tehri and the applicant is an Assistant Engineer in Tehri Hydro Development Corporation Ltd,Tehri. The dispute was with regard to the house in question. The different authorities passed certain orders. Now the parties have come to the compromise after intervention of the court.

4. Keeping in view the peculiar facts and circumstances of the case, I referred the matter to the Additional Registrar of this court and a compromise has taken place in between the parties. Keeping in view the entire circumstances of the case it would be just and proper in the interest of justice that the proceedings are liable to be quashed.

5. The proceedings in criminal case no.273 of 1996,State Vs. Sunder Lal Badoni, u/s 452/323/504 IPC pending in the court of chief Judicial Magistrate, Uttarkashi are quashed.

(J.C.S.Rawat J)

August 23,2005